

SCHEDULE 1

The Combined Authority Mayoral Elections Rules

PART 4

Contested elections

Procedure at verification of ballot paper accounts

- 47.—(1) The returning officer must, in the presence of the counting agents—
- (a) open each ballot box and count and record the number of ballot papers in it,
 - (b) verify each ballot paper account,
 - (c) count such of the postal ballot papers as have been duly returned and record the number counted.
- (2) A postal ballot paper must not be taken to be duly returned unless—
- (a) it is returned in the manner set out in paragraph (3) and reaches the returning officer or any polling station in the local authority area for which the returning officer acts before the close of the poll, and
 - (b) the postal voting statement, duly signed, is also returned in the manner set out in paragraph (3) and reaches the returning officer or such a polling station before that time,
 - (c) the postal voting statement also states the date of birth of the elector or proxy (as the case may be), and
 - (d) in a case where steps for verifying the date of birth and signature of an elector or proxy have been prescribed by regulations made under the 1983 Act, the returning officer (having taken such steps) verifies the date of birth and signature of the elector or proxy (as the case may be).
- (3) The manner in which any postal ballot paper or postal voting statement may be returned—
- (a) to the returning officer, is by hand or by post,
 - (b) to a polling station, is by hand.
- (4) A postal ballot paper or postal voting statement that reaches the returning officer or a polling station on or after the close of the poll is treated for the purposes of this rule as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.
- (5) The returning officer, while counting and recording the number of ballot papers, must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (6) Unless otherwise directed by the combined authority returning officer, the returning officer must determine the hours during which the procedure under this rule is to be carried out and must take proper precautions for the security of the ballot papers and documents.
- (7) The returning officer (R) must verify each ballot paper account by comparing it with the number of ballot papers recorded by R, and the unused and spoilt ballot papers in R's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and must draw up a provisional statement as to the result of the verification, which any election agent may copy.

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Statutory Instrument: The Combined Authorities (Mayoral Elections) Order 2017 No. 67

(8) As soon as practicable after the returning officer has drawn up the statement as to the result of the verification, the returning officer must inform the combined authority returning officer of its contents.